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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LIBOR-BASED FINANCIAL INSTRUMENTS ANTITRUST LITIGATION) MDL No. 2262) Master File No. 1:11-md-02262-NRB _) ECF Case
THIS DOCUMENT RELATES TO: Case No. 12 CV 1025 (NRB)	USUC SUNY DOCUMENT ELECTRONICALLY FILED
ELLEN GELBOIM and LINDA ZACHER, individually for themselves and on behalf of all others similarly situated,	DATE FILED: 8/14/2016
Plaintiffs,) PRE-TRIAL ORDER NO. 2
-against-)
CREDIT SUISSE GROUP AG, et al.,)
Defendants.))

UPON the Court's entry of Pre-Trial Order No. 1 (Doc 78-1) in the multi-district *LIBOR-Based Financial Instruments Antitrust Litigation* before this action, No. 12-cv-1025 (NRB), had been filed, and the Court's subsequent acceptance of this action into the MDL litigation (Docs 117, 152):

IT IS HEREBY ORDERED THAT:

A. Consolidation and Coordination of Bondholder Plaintiff Actions

1. Ellen Gelboim and Linda Zacher v. Credit Suisse Group AG, et al., Case No. 12 CV 1025 (NRB), is designated as the lead action for all class actions brought on behalf of holders of LIBOR-based debt securities not issued by any Defendant ("Bondholder Plaintiff Action") that may hereafter be filed in or transferred to the Court as related to *In re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262.

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- 2. If a case that arises out of the same subject matter as *In re LIBOR-Based Finan-*cial Instruments Antitrust Litigation and is brought as a class action on behalf of a Bondholder plaintiff is hereafter filed in this Court or is transferred from another court (together, a "Subsequent Bondholder Plaintiff Action"), the Court will direct the Clerk to:
 - a. file a copy of this Order in the separate file for such action;
- b. consolidate the Subsequent Bondholder Plaintiff Action with the Bondholder Plaintiff Action by transferring the case to the docket for *In re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262, and *Ellen Gelboim and Linda Zacher v. Credit Suisse Group AG*, et al., Case No. 12-ev-1025 (NRB); and
 - c. close the docket for the Subsequent Bondholder Plaintiff Action.
- 3. The Court requests the assistance of counsel in calling to the attention of the Court the filing of any Subsequent Bondholder Plaintiff Action that might properly be consolidated or coordinated as a debt-securities holder action.
- 4. Every document filed exclusively relating to the Bondholder Plaintiff Action shall bear the following caption:

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LIBOR-BASED FINANCIAL INSTRUMENTS ANTITRUST LITIGATION)))	MDL No. 2262 Master File No. 1:11-md-02262-NRB ECF Case
THIS DOCUMENT RELATES TO: BONDHOLDER PLAINTIFF ACTION, Case No. 12-cv-1025 (NRB)))))	

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B. Organization of Bondholder Plaintiff Counsel

- 5. Pursuant to Fed. R. Civ. P. 23(g)(3), the Court designates as Interim Co-Lead Counsel for the Bondholder Plaintiff class, Weinstein Kitchenoff & Asher LLC and Morris and Morris LLC Counselors At Law ("Bondholder Plaintiff Interim Co-Leads"), who shall be solely responsible for coordinating and organizing plaintiffs in the conduct of the Bondholder Plaintiff Action and, in particular, shall have the following responsibilities.
- a. To make, brief, and argue motions, and to file papers and participate in proceedings initiated by other parties;
 - b. To initiate, conduct, and defend discovery proceedings;
 - c. To act as spokesperson at pretrial conferences;
- d. To negotiate with defense counsel with respect to settlement and other matters:
- c. To call meetings of counsel for plaintiffs in the Bondholder Plaintiff Action;
- f. To make all work assignments to plaintiffs' counsel for the Bondholder Plaintiff Action to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort;
 - g. To conduct trial and post-trial proceedings;
 - h. To consult with and employ experts;
 - i. To request that the Court approve settlements, if any, and fee awards;
 - j. To allocate fees;
- k. To perform such other duties and to undertake such other responsibilities as they deem necessary or desirable in the prosecution of this litigation;

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- 1. To coordinate with co-lead counsel for the Exchange-Based Plaintiff Action, co-lead counsel for the Over-the-Counter Plaintiff Action, counsel for any Bondholder plaintiff, any other lead or co-lead class counsel that may hereafter be appointed, and counsel for non-class plaintiffs in *In re LIBOR-Based Financial Instruments Antitrust Litigation*; and
- m. To coordinate and communicate with defendants' counsel with respect to matters addressed in this paragraph or its subparts.

The designation of Bondholder Plaintiff Interim Co-Leads in this Paragraph 5 is without prejudice to the right of other counsel to move for modification of such designation upon good cause shown.

- 6. No motion, request for discovery, or other pretrial proceedings shall be initiated or filed by any plaintiff in the Bondholder Plaintiff Action except through Bondholder Plaintiff Interim Co-Leads, and no counsel in the Bondholder Plaintiff Action shall be authorized to perform any work in the case without the express authorization of the Bondholder Plaintiff Interim Co-Leads.
- 7. Bondholder Plaintiff Interim Co-Leads shall be the contact between plaintiffs' counsel in the Bondholder Plaintiff Action and defendants' counsel, Exchange-Based Plaintiffs' counsel, Over-the-Counter Plaintiffs' counsel, any other lead or co-lead class counsel that may hereafter be appointed, counsel for non-class plaintiffs in *In re LIBOR-Based Financial Instruments Antitrust Litigation*, and any counsel for any Bondholder plaintiff, as well as spokespersons for plaintiffs' counsel in the Bondholder Plaintiff Action. Bondholder Plaintiff Action Co-Leads are designated as the contact persons from plaintiffs' counsel in the Bondholder Plaintiff Action and as the attorneys of record with whom the Court will be dealing throughout the course of this litigation.

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8. All plaintiffs' counsel in the Bondholder Plaintiff Action shall submit their up-to-

date time and expenses on a monthly basis in the form set forth by Bondholder Plaintiff Action

Co-Leads or on such other schedule as may be established, from time-to-time, by Bondholder

Plaintiff Action Co-Leads.

9. Defendants shall effect service of papers on plaintiffs in the Bondholder Plaintiff

Action by serving a copy on each Bondholder Plaintiff Action Co-Lead by electronic mail (in-

cluding the Court's Electronic Case Filing system), overnight mail, telecopy, or hand delivery.

Bondholder Plaintiff Interim Co-Leads shall effect service on plaintiffs in the Bondholder Plain-

tiff Action by serving a copy on all other counsel for plaintiffs in the Bondholder Plaintiff Action

by electronic mail (including the Court's Electronic Case Filing system), overnight mail, tele-

copy, or hand delivery.

C. No Waiver

10. The terms of this Order, the consolidation and coordination ordered herein, and

the appointment of Bondholder Plaintiff Interim Co-Leads shall not constitute a waiver by any

party of any claims in or defenses to any of the actions.

Tugust 14, 2012

SO ORDERED.

Dated:

New York, New York

NAOMI REICE BUCHWALD

UNITED STATES DISTRICT JUDGE

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